

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

LIFESCAN INC., and JOHNSON &  
JOHNSON HEALTH CARE SYSTEMS,  
INC.,

Plaintiffs,

vs.

JEFFREY C. SMITH, GEOFFREY S.  
SWINDLE, STEVEN L. HADLOCK,  
SAHILY PAOLINE, DAVID GRANT,  
JUSTIN LEAVITT, BLAINE SMITH,  
ALISON WISTNER, ADAM KOOPERSMITH  
& ZB, N.A.,

Defendants.

Case No.: 2:17-CV-05552-CCC-CLW

**CERTIFICATION OF OLAJIDE A.  
ARAROMI, ESQ., IN SUPPORT OF  
WISTNER AND KOOPERSMITH'S  
MOTION TO DISMISS PLAINTIFFS'  
FIRST AMENDED COMPLAINT**

OLAJIDE A. ARAROMI, ESQ. of full age, hereby certifies as follows:

1. I am an attorney-at-law of the State of New Jersey and a member of the law firm of Chiesa Shahinian Giantomasi PC, attorneys for Defendants Alison Wistner and Adam Koopersmith, (collectively, "External Director Defendants") in the above matter. I make this Certification in support of the External Director Defendants' Motion to Dismiss Plaintiffs' First Amended Complaint.

2. Attached hereto as Exhibit 1 is a true and correct copy of Defendant Wistner's Response to Plaintiffs' First

Interrogatories, dated April 5, 2018.

3. Attached hereto as Exhibit 2 is a true and correct copy of Defendant Koopersmith's Response to Plaintiffs' First Interrogatories, dated April 5, 2018.

4. Attached hereto as Exhibit 3 is a true and correct copy of the unpublished decision in *Advanced Oral Techs., L.L.C. v. Nutres Research, Inc.*, CIV 10-5303 DRD, 2011 WL 198029 (D.N.J. Jan. 20, 2011).

5. Attached hereto as Exhibit 4 is a true and correct copy of the unpublished decision in *Canfield Scientific, Inc. v. Melanoscan, LLC*, No. 16-4636, 2017 WL 2304644 (May 25, 2017 D.N.J.).

6. Attached hereto as Exhibit 5 is a true and correct copy of the unpublished decision in *Equiom (Isle of Man) Ltd. v. Jacobs*, CV 16-4362, 2017 WL 6550481 (D.N.J. Dec. 22, 2017).

7. Attached hereto as Exhibit 6 is a true and correct copy of the unpublished decision in *Kaminski v. Twp. of Toms River*, CIV.A. 10-2883 FLW, 2011 WL 2600920 (D.N.J. June 29, 2011).

8. Attached hereto as Exhibit 7 is a true and correct copy of the unpublished decision in *Knierim v. Siemens Corp.*, CIV.A. 06-4935SDW, 2008 WL 906244 (D.N.J. Mar. 31, 2008).

9. Attached hereto as Exhibit 8 is a true and correct copy of the unpublished decision in *Nicholas v. Saul Stone &*

Co., LLC, 97-CV-860, 1998 WL 34111036 (D.N.J. June 30, 1998),  
aff'd, 224 F.3d 179 (3d Cir. 2000).

10. Attached hereto as Exhibit 9 is a true and correct  
copy of the unpublished decision in *Norben Imp. Corp. v. Metro.  
Plant & Flower Corp.*, CIV.A. 05-54 (JCL), 2005 WL 1677479  
(D.N.J. July 15, 2005).

11. Attached hereto as Exhibit 10 is a true and correct  
copy of the unpublished decision in *Novartis Pharm. Corp. v.  
Bausch & Lomb, Inc.*, No. 07-5945, 2008 WL 4911868 (D.N.J. Nov.  
13, 2008).

12. Attached hereto as Exhibit 11 is a true and correct  
copy of the unpublished decision in *Roche Diagnostics Corp. v.  
Binson's Hosp. Supplies, Inc.*, No. 1:17-CV-00949, 2017 WL  
4123050 (S.D. Ind. Sept. 18, 2017).

13. Attached hereto as Exhibit 12 is a true and correct  
copy of the unpublished decision in *SDS USA Inc. v. Ken  
Specialties, Inc.* 2002 U.S. Dist. LEXIS 16762 (D.N.J. Aug. 28,  
2002).

I hereby certify that the above statements made by me are  
true. I am aware that, if any of the above statements made by  
me are willfully false, I am subject to punishment.

CHIESA SHAHINIAN & GIAN TOMASI PC  
*Attorneys for Defendants Alison  
Wistner and Adam Koopersmith*

By   
OLAJIDE A. ARAROMI

Dated: June 1, 2018